

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

December 7, 2007

Charles R. Fulbruge III
Clerk

No. 07-60105
Summary Calendar

IHSAN HAMAD SULEMAN AL MOMANI,
also known as Ihsan Hamad Momani,

Petitioner,

v.

MICHAEL B. MUKASEY,
U.S. Attorney General,

Respondent.

Petition for Review of an Order of
the Board of Immigration Appeals
No. A79 711 675

Before REAVLEY, SMITH, and BARKSDALE, Circuit Judges.

PER CURIAM:*

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Ihsan Al Momani, a native and citizen of Jordan, petitions for review of the dismissal by the Board of Immigration Appeals (“BIA”) of his appeal of the order of the immigration judge (“IJ”) denying his application for asylum, withholding of removal, and relief under the Convention Against Torture (“CAT”). The IJ granted Al Momani’s request for voluntary departure, and the BIA ordered him to depart voluntarily from the United States within forty-seven days from the BIA’s January 17, 2007, order. Al Momani apparently failed to depart as ordered, and his current deportation status is listed as a “fugitive.”

“[T]he fugitive disentitlement doctrine limits a criminal defendant’s access to the judicial system whose authority he evades.” *Bagwell v. Dretke*, 376 F.3d 408, 410 (5th Cir. 2004). We recently have extended the fugitive disentitlement doctrine to the immigration context where the petitioners were fugitive aliens who evaded custody and failed to comply with a removal order. *Giri v. Keisler*, ___ F.3d ___, No. 06-60569, 2007 WL 3276110, at *2-*3 (5th Cir. Nov. 7, 2007) (per curiam). Because Al Momani has failed to depart from the United States as ordered and became a fugitive after filing his petition for review with this court, the fugitive disentitlement doctrine bars further review of the BIA’s decision. See *id.*

Accordingly, the petition for review is DISMISSED.